

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RORY WATERMAN, et al.,

Plaintiff(s),

v.

KATHELEEN E. NOLAN, et al.,

Defendant(s).

23-CV-4903 (DEH)

ORDER

DALE E. HO, United States District Judge:

Plaintiffs, appearing pro se, filed this case on June 12, 2023, asserting that Defendants violated their rights. *See* ECF No. 1. On June 22, 2023, the Court issued an order dismissing the plaintiffs' complaint without prejudice, giving plaintiffs until July 22, 2023, to file an amended complaint. *See* ECF No. 3.

The Clerk's Office mailed the Court's June 22, 2023 Order, but on July 19, 2023, it was returned to the Court with a notation on the envelope indicating "Return to Sender, Attempted – Not Known, Unable to Forward." On July 22, 2023, plaintiffs did not file an amended complaint. *See* ECF No. 3. The Court extended plaintiffs' time to file an amended complaint to November 10, 2023. *See* ECF No. 4. But on November 10, 2023, plaintiffs again failed to file an amended complaint.

By order dated November 14, 2023, the Court directed plaintiffs to communicate with the Court by December 29, 2023, and advised plaintiffs that if they failed to contact the Court, "the Court [would] dismiss the case without further notice." *See* ECF No. 6.

Plaintiffs have not complied with the Court's November 14, 2023 Order, have failed to notify the Court of a change of mailing address, and have not initiated any further contact with the Court, written or otherwise. Accordingly, Plaintiffs' complaint is dismissed without

prejudice pursuant to Fed. R. Civ. P. 41(b). *See LeSane v. Hall's Sec. Analyst, Inc.*, 239 F.3d 206, 209 (2d Cir. 2001); *see also Fields v. Beem*, No. 13-CV-0005 (GTS/DEP), 2013 WL 3872834, at *2 (N.D.N.Y. July 24, 2013) (“A plaintiff is required to notify the Court when his address changes, and failure to do so is sufficient to justify dismissal of a plaintiff’s complaint.”) (collecting cases).

The Clerk of Court is respectfully requested to close the case.

SO ORDERED.

Dated: January 9, 2024
New York, New York

A handwritten signature in black ink, appearing to read "Dale Ho", is written above a horizontal line.

DALE E. HO
United States District Judge